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FILED VIA FACSIMILE

MAR 13 2006

PATENT APPLICATION

Docket No. 14000.8.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hugh S. West, Jr. and John R. West

Serial No.: 10/651,671

) Art Unit

) 3733

Confirmation No.: 9319

Filed: August 29, 2003

For: APPARATUS AND METHODS FOR INDEPENDENTLY
CONDITIONING AND PRE-TENSIONING A
PLURALITY OF LIGAMENT GRAFTS DURING
JOINT REPAIR SURGERY

Examiner: John Kim

Customer No.: 022913

TERMINAL DISCLAIMERCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Declarant, John M. Guynn, represents that he is the Attorney of Record for HS WEST INVESTMENTS, LLC and that he is authorized to make this Declaration and execute this Terminal Disclaimer on behalf of HS WEST INVESTMENTS, LLC. Declarant further represents that HS WEST INVESTMENTS, LLC is the assignee of the entire interest, as shown by the Assignments recorded at reel 014456, frame 0338, and reel 012014, frame 0560 in the records of the U.S. Patent and Trademark Office, of the above-identified application, and U.S. Application Serial No. 09/711,488, now U.S. Patent No. 6,679,889. Declarant hereby further

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certifies that the Assignments have been reviewed by him, and to the best of the Declarant's knowledge and belief, title is in the Assignee seeking to take action.

The Assignee hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,679,889, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,679,889, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

The Assignee does not disclaim any terminal part of any patent granted on the above-identified application that would extend beyond the term of U.S. Patent No. 6,679,889 in the event that U.S. Patent No. 6,679,889 later: (a) expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a); (b) has all claims cancelled by a reexamination certificate; or (c) is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Declarant further declares that all statements made herein of Declarant's own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

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DATED this 3rd day of March 2006.

HS WEST INVESTMENTS, LLC

By:



JOHN M. GYNN
Attorney for Applicant
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